

Amendment to the Claims:

This listing of the claims will replace all prior versions, and listings, of claims in the application.

Listing of the Claims:

1. (currently amended) A computer implemented method for distributing protected material, comprising:
ascertaining terms for providing a protected material to a prospective recipient according at least in part to information of unauthorized copying of other protected material previously provided to said prospective recipient; and

providing or withholding a copy of said protected material to said prospective recipient in accordance with said ascertained terms.

2. (original) The method according to claim 1, wherein said ascertaining further includes obtaining said information of unauthorized copying from a database.

3. (original) The method according to claim 1, wherein said providing comprises providing a copy of said protected material to said prospective recipient in the form of a file.

4. (original) The method according to claim 1, wherein said providing comprises providing a copy of said protected material to said prospective recipient in the form of streaming media.

5. (original) The method according to claim 4, wherein said protected material includes audio-visual content.

6. (original) The method according to claim 5, further comprising embedding an identification of said protected material in said copy prior to providing said copy to said prospective recipient.

7. (original) The method according to claim 5, further comprising embedding an identification of said prospective recipient in said copy prior to providing said copy to said prospective recipient.

8. (original) The method according to claim 7, wherein said embedding employs a steganographic technique.

9. (original) The method according to claim 7, wherein said embedding employs a watermarking technique.

10. (original) The method according to claim 7, wherein said identification of said prospective recipient includes a credit card number of said prospective recipient.

11. (original) The method according to claim 7, wherein said identification of said prospective recipient includes an electronic signature of said prospective recipient.

12. (original) The method according to claim 7, wherein said identification of said prospective recipient

includes a serial number associated with a computer of said prospective recipient.

13. (original) The method according to claim 7, wherein said identification of said prospective recipient includes an Internet protocol address associated with a network interface card in a computer of said prospective recipient.

14. (original) The method according to claim 7, further comprising encrypting said protected material in said copy of said protected material prior to providing said copy to said prospective recipient.

15. (original) The method according to claim 7, wherein said ascertaining comprises determining a price for providing said protected material to said prospective recipient according to a formula and information of unauthorized copying of other protected material previously provided to said prospective recipient.

16. (original) The method according to claim 15, further comprising receiving an identification of said protected material and said identification of said prospective recipient over the Internet, and said providing of said copy of said protected material to said prospective recipient employs the Internet.

17. (original) The method according to claim 15, wherein said ascertaining comprises:

transmitting said identification of said prospective recipient to a remote server; and

receiving said terms for providing said protected material to said prospective recipient back from said remote server.

18. (original) The method according to claim 17, wherein said providing comprises:

recording said copy of said protected material on a tangible medium; and

providing said tangible medium to said prospective recipient according to said terms.

19. (original) The method according to claim 18, wherein said tangible medium is a compact disc.

20. (original) The method according to claim 18, wherein said tangible medium is a digital versatile disc.

21. (currently amended) An apparatus for distributing protected material, comprising a computer having a first set of program code for:

ascertaining terms for providing a protected material to a prospective recipient according at least in part to information of unauthorized copying of other protected material previously provided to said prospective recipient; and

providing or withholding a copy of said protected material to or from said prospective recipient in accordance with said ascertained terms.

22. (original) The apparatus according to claim 21, wherein said ascertaining further includes obtaining said information of unauthorized copying from a database.

23. (original) The apparatus according to claim 21, wherein said providing comprises providing a copy of said protected material to said prospective recipient in the form of a file.

24. (original) The apparatus according to claim 21, wherein said providing comprises providing a copy of said protected material to said prospective recipient in the form of streaming media.

25. (original) The apparatus according to claim 24, wherein said protected material includes audio-visual content.

26. (original) The apparatus according to claim 25, wherein said computer has a second set of program code for embedding an identification of said protected material in said copy prior to providing said copy to said prospective recipient.

27. (original) The apparatus according to claim 26, wherein said computer has a second set of program code for embedding an identification of said prospective recipient in said copy prior to providing said copy to said prospective recipient.

28. (original) The apparatus according to claim 27, wherein said embedding employs a steganographic technique.

29. (original) The apparatus according to claim 27, wherein said embedding employs a watermarking technique.

30. (original) The apparatus according to claim 27, wherein said identification of said prospective recipient includes a credit card number of said prospective recipient.

31. (original) The apparatus according to claim 27, wherein said identification of said prospective recipient includes an electronic signature of said prospective recipient.

32. (original) The apparatus according to claim 27, wherein said identification of said prospective recipient includes a serial number associated with a computer of said prospective recipient.

33. (original) The apparatus according to claim 27, wherein said identification of said prospective recipient includes an Internet protocol address associated with a network interface card in a computer of said prospective recipient.

34. (original) The apparatus according to claim 27, wherein said computer has a third set of program code for encrypting said protected material in said copy prior to providing said copy to said prospective recipient.

35. (original) The apparatus according to claim 27, wherein said ascertaining comprises determining a price

for providing said protected material to said prospective recipient according to a formula and information of unauthorized copying of other protected material previously provided to said prospective recipient.

36. (original) The apparatus according to claim 35, wherein said first set of program code is further for receiving an identification of said protected material and said identification of said prospective recipient over the Internet, and said providing of said copy of said protected material to said prospective recipient employs the Internet.

37. (original) The apparatus according to claim 35, wherein said ascertaining comprises:

transmitting said identification of said prospective recipient to a remote server; and

receiving said terms for providing said protected material to said prospective recipient back from said remote server.

38. (original) The apparatus according to claim 37, wherein said providing comprises:

recording said copy of said protected material on a tangible medium; and

providing said tangible medium to said prospective recipient according to said terms.

39. (original) The apparatus according to claim 38, wherein said tangible medium is a compact disc.

40. (original) The apparatus according to claim 38, wherein said tangible medium is a digital versatile disc.

41. (original) A computer implemented method for generating a database of unauthorized copying of protected material, comprising:

detecting at least one identification embedded in a copy of protected material procured from a distribution channel; and

storing information of said protected material according to said at least one identification in a database so as to be indicative of unauthorized copying of said protected material.

42. (original) The method according to claim 41, wherein said at least one identification includes a content identification identifying said protected material, and a recipient identification identifying a recipient of said protected material.

43. (original) The method according to claim 42, wherein said at least one identification has been embedded in said protected material by a steganographic technique.

44. (original) The method according to claim 42, wherein said at least one identification has been embedded in said protected material by a watermarking technique.

45. (original) The method according to claim 42, wherein said protected material includes audio-visual content.

46. (original) The method according to claim 45, wherein said recipient is an original purchaser of said copy of said protected material.

47. (original) The method according to claim 46, wherein said recipient identification is a credit card number of said original purchaser.

48. (original) The method according to claim 45, wherein said recipient is an independent contractor involved in post-production work on said protected material.

49. (original) The method according to claim 45, further comprising procuring said copy of said protected material over the Internet.

50. (original) The method according to claim 49, wherein said procuring comprises:
 contacting a list server; and
 downloading a copy of a selected protected material from an on-line client identified by said list server.

51. (original) The method according to claim 49, wherein said procuring comprises:
 searching for a selected protected material; and
 downloading a copy of said selected protected material from an on-line client identified as a result of said searching.

52. (original) An apparatus for generating a database of unauthorized copying of protected material, comprising a computer having a first set of program code for:

detecting at least one identification embedded in a copy of protected material procured from a distribution channel; and

storing information of said protected material according to said at least one identification in a database so as to be indicative of unauthorized copying of said protected material.

53. (original) The apparatus according to claim 52, wherein said at least one identification includes a content identification identifying said protected material, and a recipient identification identifying a recipient of said protected material.

54. (original) The apparatus according to claim 53, wherein said at least one identification has been embedded in said protected material by a steganographic technique.

55. (original) The apparatus according to claim 53, wherein said at least one identification has been embedded in said protected material by a watermarking technique.

56. (original) The apparatus according to claim 53, wherein said protected material includes audio-visual content.

57. (original) The apparatus according to claim 56, wherein said recipient is an original purchaser of a copy of said protected material.

58. (original) The apparatus according to claim 57, wherein said recipient identification is a credit card number of said original purchaser.

59. (original) The apparatus according to claim 56, wherein said recipient is an independent contractor involved in post-production work on said protected material.

60. (original) The apparatus according to claim 56, wherein said computer has a second set of program code for procuring said protected material over the Internet.

61. (original) The apparatus according to claim 60, wherein said procuring comprises:
contacting a list server; and
downloading a copy of a selected protected material from an on-line client identified by said list server.

62. (original) The apparatus according to claim 60, wherein said procuring comprises:
searching for a selected protected material; and
downloading a copy of said selected protected material from an on-line client identified as a result of said searching.

63. (currently amended) An apparatus for distributing protected material, comprising:

a detection server having a first program for detecting identifications embedded in copies of protected materials procured from at least one distribution channel, and storing information of said protected materials according to said identifications in a database so as to be indicative of unauthorized copying of said protected material; and

a distribution server having a second program for ascertaining terms for providing a protected material to a prospective recipient according at least in part to said information in said database, and providing or withholding a copy of said protected material to said prospective recipient in accordance with said ascertained terms.

64. (original) The apparatus according to claim 63, wherein said protected material includes audio-visual content.

65. (original) The apparatus according to claim 64, wherein said distribution server has a third program for embedding an identification of said protected material in said copy prior to providing said copy to said prospective recipient.

66. (original) The apparatus according to claim 65, wherein said third program is further for embedding an identification of said recipient in said copy prior to providing said copy to said prospective recipient.

67. (original) The apparatus according to claim 66, wherein said embedding employs a steganographic technique.

68. (original) The apparatus according to claim 66, wherein said embedding employs a watermarking technique.

69. (original) The apparatus according to claim 64, wherein said ascertaining comprises determining a price for providing said protected material to said prospective recipient according to a formula and said information in said database.

70. (original) The apparatus according to claim 69, wherein said second program is further for receiving a content identification of said protected material and a recipient identification of said prospective recipient over the Internet, and said providing of said copy employs the Internet.

71. (original) The apparatus according to claim 64, wherein said detection server has a fourth program for procuring said protected material from at least one distribution channel over the Internet.

72. (original) The apparatus according to claim 71, wherein said procuring comprises:
contacting a list server; and
downloading selected protected materials from on-line clients identified by said list server.

73. (original) The apparatus according to claim 71, wherein said procuring comprises:
searching for selected protected materials; and
downloading said selected protected materials
from on-line clients identified as a result of said
searching.